

MEETING #18 May 6

At a Joint Meeting of the Madison County Board of Supervisors on
May 6, 2009 at 7:30 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman, Eddie Dean
James L. Arrington, Vice-Chairman
Clark Powers, Member
V. R. Shackelford, III, County Attorney
Lisa Robertson, County Administrator

ABSENT: Bob Miller, Member
William L. Crigler, Member

Chairman, Eddie Dean called the meeting to order and stated that a quorum was present.

Chairman, Eddie Dean then opened the Public Hearing to discuss the following:

Case Number S-05-09-06, which is a request by James A. Wells for a plat of a subdivision of land to create three (3) lots with residue off Route 606 (Desert Road) near Novum, zoned A-1. Lot 1 and the residue of TM 23-55, existing TM 23-60, owned by Edward P., Jr. or Kathleen T. Burak and the residue of TM 23-58 will use the right-of-way that is partially existing and some parts will be relocated and extended. Lot 3 will be accessed by an entrance on Route 606. Lot 2 will be accessed by an existing fifty-foot (50') right-of-way approved by the county on February 2, 2000. The final plat has been approved by the Virginia Department of Transportation and the Madison Health Department

James Wells (applicant) was present to answer any questions pertaining to tonight's request.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the subdivision request is approved as recommended by the Madison County Planning Commission to include the fifteen (15) notes as conditions of approval), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent

Clark Powers Aye

Case Number S-05-09-07, which is a request by Justin O Perl and Aksel D. Falk for a plat of a subdivision of land to create three (3) lots with residue off Routes 614 and 635 near Achsah, zoned Residential, R-1. The residue will be on Route 635 (Mount Zion Church Road) and Lots 1, 2 and 3 will be on a new fifty-foot (50') right-of-way off Route 614 (John Tucker Road). The final plat has been approved by the Virginia Department of Transportation and the Madison Health Department.

Aksel Falk (applicant) was present to answer any questions pertaining to tonight's request.

V. R. Shackelford, III, County Attorney, was questioned whether the lots will "count" based on guidelines included in the Madison County Subdivision Ordinance as when lots are subdivided, the property owner loses "grandfather" status. In this case, this creates two (2) pipe stems and the property (ies) doesn't meet the requirements of the Ordinance.

David Lewis, Surveyor, was present and stated that both pipe stems were created prior to zoning.

Rodney Lillard, Chairman of the Madison County Planning Commission, stated the commission made an exception to the County's Ordinance and have declined to count a Church lot as one of the four (4) lots on the right-of-way.

Chairman, Eddie Dean asked the Madison County Planning Commission to consider looking at changing the County's Ordinance to exclude well lots from being counted.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Case Number S-05-09-08, which is a request by Kenneth R. or Judith L. Elias for a plat

of a subdivision of land to create two (2) lots with residue on Routes 690 (Hollowback Lane) and 662 (Graves Mill Road), near Graves Mill, zoned A-1. The residue has an existing entrance on Route 690; Parcel J will have a new entrance on Route 662 and Parcel K has an existing entrance on Route 662. The final plat is approved by the Virginia Department of Transportation and the Madison Health Department.

Ken Elias (applicant) was present to answer any questions pertaining to tonight's request.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the subdivision plat is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Case Number SU-05-09-09, which is a request by William S. Barnes operating as Old Dominion Sundowner, LLC, lessee, of property owned by Yates Properties of Madison, LLC, for an indefinite special use permit to operate an automobile sales and rental facility for specialty trucks and trailers. This property is located off Route 29 Southbound Lane (South Seminole Trail) at Shelby and contains 5.191 acres of land zoned Industrial, M-1. The Virginia Department of Transportation had no objections or comments to offer and the existing entrance and turning lane is sufficient, per letter submitted by Anthony Hurlock dated April 23, 2009. Also, as per Dwayne Dixon, there will be no increase in employees as verbalized on April 29, 2009.

William S. Barnes (applicant) was present to answer any questions pertaining to tonight's request.

After discussion, on motion of Clark Powers, seconded by James L. Arrington, the indefinite special use permit is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Case Number SU-05-09-10, which is a request by Dean M. or Jeanne R. Gruenburg for an indefinite special use permit to operate a farm winery with retail sales. This property is located on Route 631 (Meander Run Road) near Locust Dale and contains 17.534 acres of land, zoned A-1. The Madison Health Department has approved for the private vineyard with no employees and process wastewater is not to be connected to existing residential drain field. Additionally, a letter was read for the record as submitted by Matthew Bolick of the Virginia Department of Transportation dated April 21, 2009.

Dean M. Gruenburg (applicant) was present to answer any questions pertaining to tonight's request.

Chairman, Eddie Dean referred to an email that was sent from the Virginia Department of Transportation regarding this application in which the department offered comments for consideration.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the indefinite special use permit is approved as recommended by the Madison County Planning Commission that includes comments submitted by the Virginia Department of Transportation, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Case Number SP-05-09-11, which is a request by Dean M. or Jeanne R. Gruenburg for a site plan to construct an addition to the existing structure to use for a wine tasting room. This property is located on Route 631 (Meander Run Road) near Locust Dale and contains 17.534 acres of land, zoned A-1. (Pending the above request for an indefinite special use permit). The Madison Health Department has requested the final plan contain the same conditions as included in the special use permit. A letter was read for the record as submitted by Matthew Bolick of the Virginia Department of Transportation dated April 21, 2009.

Dean M. Gruenburg (applicant) was present to answer any questions pertaining to tonight's request.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the site plan request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Case Number S-05-09-12, which is a request by Benjamin F. Buckner, III for a plat of a subdivision of land to create one (1) lot with residue on Route 230 (Wolftown-Hood Road) near Hood, zoned A-1. The final plat is approved by the Virginia Department of Transportation and the Madison Health Department.

Benjamin Buckner (applicant) was present to answer any questions pertaining to tonight's case.

After discussion, on motion of Clark Powers, seconded by James L. Arrington, the subdivision request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Case Number SP-05-09-13, which is a request by Rapidan Baptist Camp & Conference Center for a site plan to add a modular classroom building. This property is located on Route 621 (Jacks Shop Road) near Rochelle and contains 156.620 acres of land, zoned A-1. Have approval on the final plan from the Department of Environmental Quality. A letter was read for the record that was submitted by Matthew Bolick of the Virginia Department of Transportation dated April 21, 2009.

Wayne Leighan was in attendance on behalf of the Rapidan Baptist Camp & Conference Center to answer any questions regarding tonight's request.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the site plan request is approved as recommended by the Madison County Planning Commission, with the following vote recorded:

Eddie Dean	Aye
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James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

With no further action being required by the Board, on motion of James L. Arrington, seconded by Clark Powers, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Absent
Bob Miller	Absent
Clark Powers	Aye

Date: May 7, 2009